

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
November 10, 2015

3:00 P.M. TOUR – UNIVERSITY PLACE UPDATE & TOUR WITH WOODBURY CORPORATION

CONDUCTING	Mayor Richard F. Brunst
ELECTED OFFICIALS	Councilmembers Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner
APPOINTED STAFF	Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Greg Stephens, City Attorney; Richard Manning, Administrative Services Director; Karl Hirst, Recreation Director; Scott Gurney, Fire Department Director; Gary Giles, Police Department Director; Charlene Crozier, Library Director; Jason Bench, Planning Division Manager; Ryan Clark, Economic Development Division Manager; Neal Winterton, Water Division Manager; Brandon Stocksdale, Long Range Planner; Steven Downs, Assistant to the City Manager; and Jackie Lambert, Deputy City Recorder

TOUR – University Place Update & Tour with Woodbury Corporation

Mr. Clark, with Artie Woodbury and Kathy Olson of Woodbury Corporation, conducted a tour of the Aston Building, the new office building, and refurbishments to the interior of the mall. Those from the City who attended the tour were: Mayor Richard F. Brunst, Councilmembers Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner; City staff members Jamie Davidson, Brenn Bybee, Steven Downs, Bill Bell, Neal Winterton, Jason Bench, Brandon Stocksdale, Karl Hirst, Charlene Crozier, Greg Stephens, Scott Gurney, and Jackie Lambert; and newly-elected Councilmember Sam Lentz

Artie Woodbury thanked Orem City for their support and said he appreciated working with the Council and staff to improve the city, and expressed his support for the proposed State Street Master Plan.

5:00 P.M. STUDY SESSION – UNIVERSITY MALL, FOOD COURT CONFERENCE ROOM

CONDUCTING	Mayor Richard F. Brunst
ELECTED OFFICIALS	Councilmembers Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner

APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Greg Stephens, City Attorney; Richard Manning, Administrative Services Director; Karl Hirst, Recreation Director; Chris Tschirki, Public Works Director; Scott Gurney, Fire Department Director; Gary Giles, Police Department Director; Charlene Crozier, Library Director; Jason Bench, Planning Division Manager; Ryan Clark, Economic Development Division Manager; Neal Winterton, Water Division Manager; Reed Price, Maintenance Division Manager; Steven Downs, Assistant to the City Manager; Peter Wolfley, Communications Specialist; and Jackie Lambert, Deputy City Recorder

Preview Upcoming Agenda Items

Staff presented a preview of upcoming agenda items.

Agenda Review

The City Council and staff reviewed the items on the agenda.

City Council New Business

There was no City Council new business.

Mr. Manning presented an overview of the budget amendment that would be discussed in the 6:00 meeting.

The Council adjourned at 5:30 p.m. to the City Council Chambers for the regular meeting.

6:00 P.M. REGULAR SESSION – COUNCIL CHAMBERS

CONDUCTING

Mayor Richard F. Brunst

ELECTED OFFICIALS

Councilmembers Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner

APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Greg Stephens, City Attorney; Richard Manning, Administrative Services Director; Bill Bell, Development Services Director; Karl Hirst, Recreation Director; Chris Tschirki, Public Works Director; Scott Gurney, Fire Department Director; Gary Giles, Police Department Director; Charlene Crozier, Library Director; Jason Bench, Planning Division Manager; Donna Weaver, City Recorder; Ryan Clark, Economic Development Division Manager; Sam Kelly, City Engineer; Steven Downs, Assistant to the City Manager; and Jackie Lambert, Deputy City Recorder

INVOCATION /
INSPIRATIONAL THOUGHT Sydney James
PLEDGE OF ALLEGIANCE Evan Goble

APPROVAL OF MINUTES

There were no minutes to be approved.

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

Upcoming Events

The Mayor referred the Council to the upcoming events listed in the agenda packet.

Appointments to Boards and Commissions

Mr. Seastrand **moved** to appoint Preston Smith to the CARE Advisory Commission. Mr. Macdonald **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. The motion **passed** unanimously.

Mr. Seastrand **moved** to appoint Vickie Johnson to the CDBG Advisory Commission. Mr. Macdonald **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. The motion **passed** unanimously.

Mr. Macdonald **moved** to appoint Nicholas Whiting as a special liaison to the Library Advisory Commission. Mr. Seastrand **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. The motion **passed** unanimously.

Recognition of New Neighborhoods in Action Officers

There were no new neighborhood officers recognized.

REPORT – Library Advisory Commission

Ms. Crozier expressed her appreciation for the members of the Library Advisory Commission and briefly outlined the work they did. Mayor Brunst asked them to introduce themselves. They were: Terri Smith, Ben Beeson, Suzanne Stratton, Courtney Burns, James Jones, and Ken Bonney. Mr. Beeson, commission chair, thanked Mr. Macdonald for his participation on the Commission.

Mr. Beeson reported that the Orem Public Library received high marks in a September 2015 survey of residents. Approximately 80 percent of those surveyed were either satisfied or very satisfied with the library. He said those results indicated that people did want a library and that this library was of exceptional quality.

Ms. Burns said the library had a wonderful collection of various media. She said it was well-utilized by citizens this past fiscal year with over 1 million items checked out. This year they

replaced the carpet in the children's library. She thanked the City for their commitment to continuing to invest in the library.

Ms. Smith thanked the Council for funding the new Integrated Library System, which would be online at the beginning of 2016. She said it would streamline the whole system for patrons of the library.

Mr. Macdonald indicated that Mr. Bonney worked for the company which supplied the system but did not start serving on the commission until after the system was purchased. He said it was nice to have a volunteer who knew the program in and out.

Mr. Jones said the programming offered by the library was extensive. There were events such as film screenings, music, and author visits. He said the library extended some of the programming through outreach programs to the schools. Students were able to attend or an author would visit the school. He reported that they had a total attendance of over 60,000 patrons at these events last year. He highlighted the "1000 Books Before Kindergarten" program which focused on early-childhood literacy with the intent to prepare the pre-K members of the community for school by reading frequently with parents.

Mr. Beeson said a community library at its best would have the support of the City, excellent staff, and patrons who believed in a library as an anchor to the community. He said he believed the Orem Public Library had these three things. He hoped this unity would continue into the future.

Mayor Brunst said it was always interesting to see how busy the library was during the day on weekdays. It was exciting to see the patrons of all ages using the varied resources. He said he was very impressed with the library and the staff.

Mr. Seastrand asked for information about digital books and the effect they would have on the library.

Mr. Bonney responded using the old adage, "stairs need not fear the elevator"; he said bound paper books would not be replaced by e-books. As people searched the catalog they could find both digital and print items. He said part of the new ILS program was called "E-Resource Central" which would show both electronic and print material with the same search. He said the brick and mortar of the library would always serve a purpose in the community.

Mr. Seastrand said appreciated that the Orem library had both types of media. He also commented on the heavy use of the computer center. He asked if there was still a connection with Ancestry.com.

Ms. Crozier said that, while films and such could be shipped to the library and staff could help patrons with family history, nearby family history centers had trained volunteers to use programs like Family Search. She said that films came in with lesser regularity than at other centers, but that the connection was still available. She said they had about 50,000 uses of the Wi-Fi and computers every year.

PRESENTATION – Utah Valley Women’s Initiative

The representative from the Utah Valley Women’s Initiative was not present.

CITY MANAGER’S APPOINTMENTS

Appointments to Boards and Commissions

There were no appointments to boards and commissions.

PERSONAL APPEARANCES

Time was allotted for the public to express their ideas, concerns, and comments on items not on the agenda. Those wishing to speak should have signed in prior to the meeting, and comments were limited to three minutes or less.

Sydney James, resident, said he lived two blocks from the proposed student housing by ICO Development near UVU. He moved to Orem in 1980 and UVU had grown extensively since then. He said there was now more traffic than he liked, with the threat of 1100 students in a 6-story housing unit. He said the area affected would be much greater than the 138 homes in the Sunset Heights neighborhood. He thought the traffic on 800 West might get as heavy as on 800 South. He had not heard talk about the impact to Lakeridge Junior High and Mountain View High School. He said the proposal would put students at risk. He said there were no good solutions and property values were a concern. He asked that the zoning not be changed.

Cinzia Noble, resident, said she lived in the Sunset Heights neighborhood. She said that, growing up in Italy, she spent her childhood in high-density housing that had crime, drugs, and other problems. She said she appreciated the different lifestyle in Orem. She asked that the Council not rezone the land southwest of the corner of 800 South at 800 West. She said she wanted to safeguard the quality of life they had enjoyed thus far. She said that if ICO built the high density project, their quality of life would dramatically change. She asked that the Council keep Orem a family-friendly community, so their families could stay and their property values could stay preserved. By “value” she said she did not mean just the dollar value.

Christopher Arnold, resident, said he had overwhelming concerns with the effectiveness of the police department. He said he had raised an issue with Officer Todd Benson about a dentist who had distributed Molly, a date-rape drug, to a patient and an employee. He said nothing was done, and he was treated poorly by that officer. He said that he was harassed for bringing up the information. He said that he had approached the police with other issues and was always treated poorly or disregarded. He said he had taken the packet to prosecutor Aaron McKnight and nothing was done. He said the Orem police department had turn on him because of his reports.

Wayne Asay, resident, said he lived on Carterville Road and had deer every night in his yard destroying his vegetation. He had multiple trees, shrubs, and other vegetation destroyed by deer. He said he had taken his concerns to the DWR and they had done nothing. He asked that the City give him an archery permit to kill the deer on his property.

CONSENT ITEMS

There were no Consent Items.

SCHEDULED ITEMS

6:00 P.M. PUBLIC HEARING – 1st Quarter Budget Amendments ORDINANCE – Amending the Current Fiscal Year 2015-2016 Budget

Mr. Manning and Mr. Nelson presented Mr. Davidson's recommendation that the City Council hold a public hearing to discuss amending the current Fiscal Year 2015-2016 Budget and, by ordinance, amend the Fiscal Year 2015-2016 Budget.

The Fiscal Year 2015-2016 City of Orem budget had many adjustments that would occur throughout the fiscal year. These adjustments included grants received from Federal, State, and other governmental or private entities/organizations; receipt of rental fees for use of the City's public works facility parking lot; funds received to improve the fencing at Windsor Park; adjustments for actual CARE tax revenues received as compared to the estimates used for the fiscal year budget; and various other smaller technical corrections or minor budget adjustments that needed to be made.

Mr. Manning said the reason grants were not built into the regular budget was that they did not want to put the expenditure in before it was approved. He said that sometimes grants were or were not awarded.

Mr. Nelson said these amendments covered July to October. He said 84 percent of the dollar amount presented was from grants that were awarded. The City needed to add those grant dollars to the existing fiscal year budget. The largest piece had to do with the major crimes task force. The Public Works department building was located near a UPS building, and during the busy holiday season they contracted with the City to use some of the PW parking lot to allow for more trucks to be parked for holiday deliveries. In the prior fiscal year, the City received funds from the Utah American Softball Association, intended to be used to rebuild the fence at Windsor Park. Those funds had been put into reserve and now needed to be used for their intended purpose. He said adjustments also needed to be made to reconcile estimated CARE tax with actual receipts.

Mayor Brunst asked how many grants the City applied for were successfully received. Mr. Nelson said they did not have a central record of the grant applications, since individual departments wrote those grants.

Mrs. Black asked about the surplus in CARE tax revenues. Mr. Nelson said it became available for the potential funding for next year.

Mr. Andersen asked about a lobbyist back east that was paid by the City to work on grants. Mr. Davidson said many of the grants the City received were State grants, but that the lobbyist helped with federal grants. He said many of the grants were renewed almost on an annual basis as long as certain requirements were met.

Mr. Andersen asked what the lobbyist was paid. He was curious about the investment return. Mr. Davidson said the lobbyist received \$60,000 a year and the BRT grant was a \$75 million

contribution from the federal government. He said that was a pretty good return on the investment.

Mayor Brunst opened the public hearing. There was no public comment, so Mayor Brunst closed the public hearing.

Mr. Seastrand **moved**, by ordinance, to amend the Current Fiscal Year 2015-2016 Budget. Mrs. Black **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. The motion **passed** unanimously.

COMMUNICATION ITEMS

There were no communication items.

CITY MANAGER INFORMATION ITEMS

There were no communication items.

ADJOURNMENT TO A CLOSED-DOOR MEETING - Pursuant to Section 52-4-205(1)(c), Pending Litigation

Mr. Andersen **moved** to adjourn to a closed-door meeting to discuss pending litigation pursuant to Utah Code Section 52-4-205(1)(c). Mr. Seastrand **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. The motion **passed** unanimously. The meeting was held in room #107.

The meeting adjourned at 6:40 p.m.

CLOSED-DOOR SESSION

A closed-door session was held at 6:45 p.m. to discuss pending litigation pursuant to Utah Code Section 52-4-205(1)(c). Those in attendance were: Mayor Richard F. Brunst; Council members Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner; staff members Jamie Davidson, Brenn Bybee, Greg Stephens, and Jackie Lambert.

The meeting adjourned at 7:46 p.m.

Donna R. Weaver, City Recorder

Approved: May 12, 2015